

R E M A R K S

The office action of February 19, 2009 has been reviewed and its contents carefully noted. Reconsideration of this case, as amended, is requested. Claims 7 through 12 remain in this case, claims 7 and 9-12 being amended by the present response. No new matter was introduced by these amendments. Specifically, “input biosignals” and “normal-activity biosignals” are supported by page 8, lines 8-12 of the application as filed, and “stimulation signals” is supported by page 4, lines 13-17 of the application as filed.

The numbered paragraphs below correspond to the numbered paragraphs in the Office Action.

Rejections under 35 U.S.C. §112

3. Claims 7-12 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully disagrees with this rejection.

4. Regarding claims 7 and 12, the Examiner has indicated that it is unclear what element calculates the “impulse response”, whether the system calculates a Fourier transform and, if so, what element calculates the Fourier transform, and to which signals “those signals” refers.

Claims 7 and 12 have been amended to clarify that none of the impulse response, the inverse Fourier transform, or the Fourier transform are necessarily calculated by the systems of claims 7 and 12. Rather, the Fourier transform for calculating the impulse response is described in claims 7 and 12, in order to make the definition of the impulse response clear. Thus, the system of the present invention does not necessarily include an element to calculate a Fourier transform. The impulse response calculated by the Fourier transform may be input to the systems of claims 7 and 12 beforehand, as described on page 8, lines 6-13 of the application as filed. To clarify this point, claims 7 and 12 have been amended to distinguish “input biosignals” from the “biological sensing means” from “normal-activity biosignals” used to calculate the “impulse response” and “stimulation signals” from the calculating means. Additionally, the term “those signals” has been amended to “the stimulation signals” in claims 7 and 12 to overcome the rejection.

5. Regarding claim 9, the Examiner has indicated that the claim appears to be drawn to limiting human body signals and should be amended to recite in terms of the functional or structural limitations to the system itself.

Claim 9 has been amended as suggested by the Examiner to overcome the rejection.

6. Regarding claim 10, the Examiner has indicated that “in a manner” is unclear.

Claim 10 has been amended to “the organism stimulating means is selected from the group” to overcome the rejection.

7. Regarding claim 11, the Examiner has indicated that “data” is inferentially included and it is unclear whether this “data” is part of the claimed invention.

Claim 11 has been amended to delete “to process data” to overcome the rejection.

Applicant believes that these amendments have fully addressed the Examiner’s rejections, and the claims are now in condition for allowance. Reconsideration and withdrawal of the rejection of claims 7-12 are respectfully requested.

Allowable Subject Matter

8. Applicant gratefully acknowledges Examiner's statement that claims 7-12 would be allowable if rewritten or amended to overcome the 112 rejections. Such action has been taken as discussed above.

Conclusion

Applicant believes the claims, as amended, are patentable over the prior art, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicant's agent would advance the prosecution of the case to finality, he is invited to telephone the undersigned at the number given below.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file."

Respectfully Submitted:

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